REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 1 and 9 have been amended for clarity.

The Examiner has finally rejected claims 1, 2, 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,386,478 to Plunkett in view of U.S. Patent 6,696,972 to Bryans. In addition, the Examiner has finally rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over Plunkett in view of Bryans, and further in view of U.S. Patent 6,069,567 to Zawilski. Applicant acknowledges that the Examiner has allowed claims 4, 6 and 7.

The Plunkett patent discloses a sound system remote control with acoustic sensor which performs an automatic adjustment of a stereophonic system for optimal sound quality as perceived at a particular listening location. To that end, the Plunkett remote control includes transmitting means for transmitting data to the receiver via an IR control link, a microphone for picking up a special test signal generated from the loudspeakers, and a command module responsive to the remote control unit for adjusting parameters of the stereophonic system in response to information transmitted from the remote control responding to the special test signal from the loudspeakers as picked up by the microphone.

The Bryans patent discloses remote controlling in which a remote control 10 has an input port 12 for receiving parameter values from a computer running a parameter setting program, and a transmitter 16 for transmitting these parameter values to a receiver 22 in a target electronic device (col. 1, line 45 to col. 2, line 3). Bryans further includes a light emitting diode 34 for providing information to a user, such as battery status or when the transmitter 16 has transmitted a signal (col. 2, lines 29-31). In addition, Bryans states "If remote control device 10 is equipped with a receiver and target electronic device is equipped with a transmitter, light emitting diode 34 may be used to indicate an acknowledgement by target electronic device 20 that the transmission has been received." (col. 2, lines 31-36).

The subject invention, as claimed in claims 1 and 9, discloses a remote control apparatus and a system including the remote control apparatus and the receiver, which operate substantially similar to the Plunkett system. However, the remote control apparatus of the subject invention further includes: "receiving means, separate from said at least one microphone, for receiving data from said receiver, said data received by said receiving means from said receiver being required by said arithmetic operating means in calculating the state of said receiver". Similarly, in the system, in addition to including a remote control apparatus similar to that claimed in claim 1, the

receiver further includes: "controlling means for controlling sound outputs for respective channels; and second transmitting means, separate from said sound outputs, for transmitting data to said remote control apparatus, wherein said controlling means of said receiver outputs a predetermined test tone from each channel by transmitting data for initiating adjustment for said receiver from said second transmitting means to said remote control apparatus, and receiving data for initiating adjustment by said second receiving means from said remote control apparatus, and transmits analysis result data from said second transmitting means to said remote control apparatus in response to said adjustment value generated by said arithmetic operating means and transmitted from said first transmitting means to said receiver, whereby said controlling means controls a state of each channel in accordance with the adjustment value received by said second receiving means, and wherein said remote control apparatus and said receiver alternately execute transmission and reception of data while performing adjustment". With these added features, the receiver and the remote control apparatus together are able to transmit and receive data to and from each other in order to perform the adjustments, thus making it possible to accomplish finer and more exact adjustments through such bi-directional communications between the receiver and the remote control apparatus. In particular, it is possible for the receiver to send the data

required for the calculation to be performed at the remote control apparatus through the communication with the remote control apparatus. Furthermore, due to the bi-directional communication, it becomes possible to display such information as adjustment progress status, components to be adjusted and adjustment completion event not only on the display portion of the receiver or the TV screen (on-screen display) that is to be connected to the receiver, but also on the display portion of the remote control apparatus near the user. This is disclosed in the Substitute Specification on page 17, line 23 to page 19, line 13 (paragraphs [0051]-[0056]).

Applicant submits that while Bryans discloses that the target electronic device may send a signal back to the remote control device for illuminating an LED indicative of an acknowledgement of receipt by the target electronic device of a transmission from the remote control device, the combination of Plunkett and Bryans still only discloses and suggests a confirmation signal being sent from the receiver to the remote control for activating an LED. In particular, the combination of Plunkett and Bryans neither discloses nor suggests that the receiver transmits data back to the remote control apparatus which is used by the remote control apparatus, along with the sound signals received by the microphone(s), in generating the adjustment value to be transmitted to the receiver for adjusting the state of the receiver.

The Zawilski patent discloses an audio-recording remote control and method therefor, in which a remote control unit includes two microphones for enhancing the capturing of audio information. However, Applicant submits that Zawilski does not supply that which is missing from Plunkett, i.e., that the receiver has a transmitting portion for transmitting data to the remote control apparatus, that the remote control apparatus has a receiving portion for receiving data transmitted from the receiver, and that the remote control apparatus uses this data in calculating the adjustment value for the receiver.

In view of the above, Applicant believes that the subject invention, as claimed in claims 1-3, 9 and 10 is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1-4, 6, 7, 9 and 10, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by 
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